



MONTHLY HIGHLIGHTS

**NOAA
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
HABITAT CONSERVATION DIVISION**

February 2003

GLOUCESTER, MA OFFICE, ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930

INITIATION OF 5 YEAR REVIEW FOR EFH DESIGNATIONS

The Northeast Region EFH Steering Committee met in February along with the EFH Technical Team of the New England Fishery Management Council to initiate a review of existing EFH designations. The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires all EFH designations to be reviewed a minimum of every five years and to revise, where necessary, based upon new information. The meeting focused on the utility of the existing methodology for designating EFH based upon the Northeast Fishery Science Center's (NEFSC) trawl survey data binned by 10 minute squares (10 minutes latitude x 10 minutes longitude). After extensive discussion, the group reached consensus that the trawl survey data should continue to be binned by 10 minute squares to form the baseline of the EFH designations. Additionally, environmental data (e.g. depth, temperature, salinity, sediment type, and other oceanographic features), where available, should be incorporated into the EFH designations for both the text descriptions and the maps. Different methodologies need to be explored to better incorporate the environmental variables for EFH designations including: habitat suitability indices, general additive models (GAMs), or other modeling approaches. The various EFH technical groups will further develop these approaches over the next year. The NEFSC will update, on a priority basis, the EFH source documents (originally published in 1999) where new information exists. NEFSC will also continue to analyze state fishery survey data on a prioritized basis. (Lou.Chiarella@noaa.gov; 978/ 281-9277)

NEW ENGLAND FISHERY MANAGEMENT COUNCIL CONSIDERS EFH PROTECTION MEASURES

The New England Fishery Management Council (NEFMC) approved a range of preferred alternatives for EFH protection as part of the Draft Environmental Impact Statements (DEISs) being developed for Amendment 10 to the Atlantic Sea Scallop Fishery Management Plan (FMP) and the EFH Components of Amendment 13 to the Northeast Multispecies FMP. The alternatives were selected, in part, to stimulate public comments on a wide range of management measures to minimize the adverse effects of fishing on EFH. Alternatives selected as preferred for both DEISs include: Habitat Alternative #2: Complementary benefits of other FMP alternatives (somewhat of a status quo situation); Habitat Alternative #6: Habitat closed areas

consistent with the Framework Adjustment 13 scallop closed area access program on Georges Bank; and Joint Industry Advisors Recommendations (JIARs) #1-9. The JIARs include 5 modifications to Habitat Alternative #6 above as well as the recommendation that the entire Northeast fishing fleet utilize a Vessel Monitoring System (VMS) for greater closed area compliance capabilities. One preferred alternative specific to the EFH Components of Amendment 13 is Habitat Alternative #8(a-e): Restrictions on the use of rockhopper and roller gear. It is anticipated that these DEISs will be available for public review in early April. Copies of the DEISs will be available through the NEFMC (978-465-0492).

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PERMITTING OF FT. HALIFAX DAM REMOVAL IN PROGRESS

As part of the Kennebec River Settlement Accord of 1989, permanent fish passage at Fort Halifax Dam, Winslow, Maine, is slated for Spring 2003. The dam owner, FPL Energy, has chosen partial removal of the dam over installation of a fish lift. On February 6, 2003, a Public Notice through the U.S. Army Corps of Engineers (ACOE) was issued for the placement of temporary fill below ordinary high water on the Sebasticook River immediately downstream to the dam. The fill will create a work pad for equipment access and a work area in order to breach and remove a 72-foot section of the dam. All temporary fill will be removed and the area restored to original contours. NOAA Fisheries fully supports the breach alternative and will be providing comments in response to the public notice. **(Sean.McDermott@NOAA.gov, 978/ 281-9113)**

JAMES J. HOWARD MARINE SCIENCES LABORATORY, HIGHLANDS, NJ 07732

HOBOKEN FERRY TERMINAL

HCD staff attended a pre-application meeting with New Jersey Transit (NJT), EPA, and the New York District, Army Corps of Engineers (ACOE) to discuss NJT's plans to reinstate ferry service from their Hoboken terminal to Manhattan. The facility, formerly the Erie-Lackawanna Railroad and Ferry Terminal, was built in 1907 and is listed on both the New Jersey and the National Register of Historic Places. The rail terminal portion of the facility is currently operational, but the ferry portion has not been used since 1970. Final designs have not been completed and will be contingent upon the requirements of the State Historic Preservation Office. The current plans include the restoration of the building facade and interior, the replacement of some or all of the fender system, the installation of barges to serve as access platforms for the ferries, and dredging. HCD staff provided guidance on impact minimization from the dredging and pile removal and replacement. Coordination will continue as NJT finalizes plans for the facility. **(Karen Greene, 732/ 872-3023)**

PROPOSED EXPANSION OF PHILADELPHIA REGIONAL PORT AUTHORITY'S SOUTH PHILADELPHIA PORT DISTRICT

Habitat staff attended the Urban Waterfront Action Group meeting in Philadelphia on February 12, 2003. The Philadelphia Regional Port Authority (PRPA) has economic development authority within a defined Port District along the Delaware River within Philadelphia County. PRPA's facilities presently are in three geographic areas: the Tioga Marine Terminal-Lower

North Philadelphia, Pier 38 through Pier 98, and Packer Avenue Marine Terminal. The meeting discussed a proposed expansion to meet future customer demands. The PRPA is currently in the process of acquiring Piers 122 and 124 South as well as adjacent land. This is based upon its close proximity to the intermodal transfers facilities and the facility's lack of virtually no air draft restrictions as it relates to a vessel's vertical clearance. This is important because the federal government has recently designated the Packer Avenue Marine Terminal as a Strategic Military Port. The Port Planning Orders (an agreement between the PRPA and U.S. Maritime Administration) requires that the PRPA must make immediately available two vessel berths (a minimum of 1,000 linear feet per berth) and 35 acres relatively contiguous to the berth. Because of the substantial commercial activity present at the Packer Avenue Marine Terminal, the PRPA may elect to use a portion of the proposed expanded site to support an activated Port Planning Order. (anita.riportella@noaa.gov, 732/ 872-3116)

NEW JERSEY INTRACOASTAL WATERWAY HABITAT ASSESSMENT

Habitat staff met with representatives of state and federal agencies to discuss the methodology to be used to evaluate and choose sites for restoration as part of the intracoastal waterway dredging and the use of dredged materials. Thirty-six sites will be evaluated and could be restored to provide habitats for targeted species. Examples include upland disposal areas dominated by *Phragmites australis*, mosquito ditched and tidally restricted *Spartina* wetlands, anoxic dredge holes; and would include target species of adult and juvenile fishes within tidal marshes and benthic macro-invertebrates and finfish within dredge holes. Another meeting is scheduled to further coordinate and provide input regarding projects that would benefit resources of concern to NOAA Fisheries. (anita.riportella@noaa.gov, 732/ 872-3116; and Karen.Greene@noaa.gov, 732/ 872-3023)

DELAWARE BASIN FISHERIES

The Delaware Basin Fish and Wildlife Cooperative's Policy Committee held a conference call in lieu of its annual meeting on February 19 because of a snow storm. A couple of issues required the immediate attention of the Policy Committee:

1 - Delaware River shad egg take approval

There is a request by the Susquehanna River Anadromous Fish Restoration Cooperative to collect up to 10 million shad eggs from Smithfield Beach in the Delaware Water Gap area during May and early June 2003. Spawners would be collected by PA Fish and Boat Commission personnel, and fertilized eggs will be delivered nightly to the Van Dyke hatchery near Thompsettown. Shad larvae will be reared, marked with tetracycline, and stocked into the Lehigh, Schuylkill, and Susquehanna rivers. Delaware tributaries continue to be the highest priority for stocking progeny of Delaware source eggs.

Delaware River egg collection was very weak in 2002 largely due to persistent high flows. The Commission fished only 10 nights between May 8 and June 5, caught 400 adult shad, and delivered 62 liters of eggs (2.04 million) in six shipments. Egg viability ranged from 11% to 58% (average 41%). The fry experienced unusual mortality problems at Van Dyke which may have resulted from use of fire retardant contaminated foam in some of the incubators. Total production of Delaware River source fry in 2002 was only 87,000 and all were stocked into the Lehigh (85,000) and Schuylkill (2,000).

The motion to collect eggs was approved. If stocking is no longer needed for Susquehanna in the future (next year or two), eggs may continue to be taken for stocking the Lehigh.

2 - Creel survey update/funding agreement status

The ASMFC Shad and River Herring Management Plan mandates that the Delaware River Basin states measure catch and harvest every five years. The Policy Committee agreed to fund a creel survey at a cost of \$279,370 to meet the mandate.

3 - Shad run size

For the past several years, the cooperative has funded a hydroacoustic study to measure the population of adult American shad. Members of the Cooperative have become increasingly concerned about the accuracy and precision of the hydroacoustic survey, which is conducted by Pace Consulting. Concerns include: possible double counting of fish, identification of non-shad fish as American shad, and repulsion of American shad by the hydroacoustic array. However, continued use of the single beam Hydroacoustic method for creel has raised concerns with the Technical Committee, as the method may not be accounting for all fish. The committee recommends a validation method and is considering the use of a split beam hydroacoustic camera. The Policy Committee approved the concept of a validation method. **(Stan Gorski, 732/ 872-3037)**

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TAPPANZEE BRIDGE/I-287 ENVIRONMENTAL REVIEW

In conjunction with the Federal Highway Administration, the New York State Thruway Authority and Metro-North Railroad are preparing an alternatives analysis and environmental impact statement for the proposed TappanZee Bridge/I-287 Corridor project. The EIS will be prepared under the National Environmental Policy Act (NEPA). The purpose of the study is to identify and evaluate alternative proposals to address regional transportation needs, structural needs for the TappanZee Bridge, and other infrastructure elements. Endangered Species Act and essential fish habitat coordination will be necessary components of our coordination with the involved federal agencies. **(Diane.Rusanowsky@noaa.gov, 203/ 882-6504)**

INDUSTRIAL MARINA PROPOSED IN HUDSON

The New York District, ACOE recently issued a Public Notice announcing a public hearing for the Greenport Project, an industrial marina proposed by St. Lawrence Cement. The proposal includes a variety of activities including discharging fill, new work and maintenance dredging, and installing structures for a marine terminal in Hudson, Columbia County, New York. The design is intended to accommodate simultaneous docking of a HudsonMax ship (754' x 80'), a cement barge (460' x 72'), a breasting barge, and an attendant tug. Nearly 6 acres of the Hudson River would be dredged to depths ranging from 28' to 36' Mean Low Water, eliminating intertidal areas and 0.05 acres of submerged aquatic vegetation. In addition, over an acre of the Hudson River would be filled. Mitigation is proposed on and off site in the form of habitat restoration and creation. The project proponents do not plan to abandon their Catskill facilities,

where cement presently is manufactured. Instead, it would remain in operation to support the new Greenport facilities. Staff will be coordinating with other involved state and federal agencies on a variety of issues of mutual concern. (**Diane.Rusanowsky@noaa.gov** , 203/ 882-6504)

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NON-INDIGENOUS OYSTERS IN CHESAPEAKE BAY

Crassostrea ariakensis is an Asian oyster that is disease resistant and grows rapidly, which makes it ideal for aquaculture. The Virginia Seafood Council is currently proposing to provide 100,000 seed oysters to each of ten growers. The seed is to be comprised of genetically produced triploid stock bred by the Virginia Institute of Marine Science using conventional protocols. The seed is to be cultured using a variety of techniques and is expected to reach market size in 9-12 months, but the applicant is proposing to leave some of the stock in the water for as much as 22 months, which increases the probability of genetic reversion and reproduction. Little is known about the ecology of this oyster in its natural habitat, let alone the impact this organism may have on the biological communities of Chesapeake Bay.

An Ad Hoc Panel of experts was appointed by the Living Resources Sub-Committee, under the auspices of the Chesapeake Bay Program, to evaluate the proposal and to make appropriate recommendations. Those recommendations have been made public. Additionally, the National Academy of Science (NAS) is preparing an ecological risk assessment to address many of the concerns expressed relative to the proposal, which will be published in August 2003.

The Virginia Marine Resource Commission (VMRC) met on 23 February, at which time they decided to issue a permit to the Virginia Seafood Council without waiting for the NAS report or adopting the recommendations of the Ad Hoc Panel.

Norfolk District, ACOE, is preparing an Environmental Assessment based on the current proposal and is considering issuing a "FONSI" (i.e., Finding of No Significant Impact). Norfolk is proposing permit issuance consistent with conditions imposed by VMRC, but inconsistent with recommendations of the Ad Hoc Panel. The USFWS, EPA, and NOAA Fisheries are all submitting objections to the proposal to the Norfolk District because of the lack of ecological safeguards associated with the proposal. (**Tim Goodger, 410/ 226-5723**)

WINDMILL FARMS

Winergy LLC is proposing to construct 306 wind turbine units on a 67-acre site 3.5 miles off the Atlantic coast of Delaware in water depths of 60 feet or less. The proposed turbine field, which is designed to produce more than 1100 Megawatts of electricity, is to be constructed in 60 feet or less of water. Each unit is to be mounted on a pile with a 35-foot diameter. The distance between units is approximately 0.3 mile, and each of the three windmill blades is 150 feet. The minimum clearance between the blade tip and the ocean surface is 80 feet. Electricity generated from each turbine is collected into a single cable, which is buried by jet sled 6 feet below the sediment line, that is brought ashore to local generating plants for distribution. The total

generating capacity is estimated to be sufficient to power the entire state of Delaware annually. The design life of the field is 50 years.

Potential biological impacts, especially with respect to protected resources and species managed under Magnuson, are to be evaluated but appear to be minimal in light of experience in Europe. Potential conflicts exist with commercial fisheries and for siting in areas where sand resources for beach nourishment have been identified. Navigation and unexploded ordinance are other issues to be addressed. Impacts associated with both construction and operation will be assessed.

On another front, the Navy rejected three alternative sites in the vicinity of Porpoise Shoals in Virginia. Development interest in Virginia is now focused on an area adjacent to Smith Island near the mouth of Chesapeake Bay. The State of Virginia is actively supporting development of wind power in this area. **(Tim Goodger, 410/ 226-5723)**